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Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MARVIN OUTIN,

Plaintiff,

v.

MICHAEL J. ASTRUE,
 Commissioner of
 Social Security,

Defendant.

CIVIL NO. 4:07-cv-03781 CW

ORDER DENYING WITHOUT PREJUDICE
 STIPULATION FOR EXTENSION OF TIME

Defendant hereby moves for a first extension of time of 30 days to respond to Plaintiff's motion for summary judgment and remand, filed herein on December 5, 2007. The extension is for the purpose of conducting further discussions with the Appeals Council regarding the settlement of this matter. The current due date was January 7, 2008. The new due date will be February 7, 2008.

Undersigned counsel for the Defendant has attempted to contact counsel for Plaintiff to obtain a stipulation to this request. Such efforts were unsuccessful.

Defendant requests that the Court's Procedural Order be modified accordingly.

SCOTT N. SCHOOLS
United States Attorney

Dated: January 8, 2008

By: /s/ Peter Thompson
PETER THOMPSON
Special Assistant United States Attorney

ORDER

Despite title, this is not a stipulation and the requested order is denied without prejudice to refiling properly as a motion to change time under L.R. 6-3.

DATED: 1/10/08



THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE